

Section 730 – Regional Mixed Use District

Section 731 – Purpose

The purpose of the Regional Mixed Use District (RMU) is to promote the goals of the General Plan in areas of the Town that are designated by the General Plan for a combination of land uses in a mixed use development pattern either horizontal or vertical design. This zoning designation recognizes that adherence to a traditional pattern of development standards would preclude the application of a more flexible approach. Commercial, employment, and residential uses are encouraged to be provided with intensities and densities that promote a mix of day and nighttime activities. Developments within this district shall be compatible with surrounding existing and planned land uses.

Section 732 – Procedures

1. Application.

Prior to any development within the RMU Zoning District, a Development Plan (DP) shall be reviewed and approved by the Town Council upon recommendation by the Planning Commission pursuant to the procedures established in Figure 7-1.

2. Development Plan. An applicant shall submit a detailed development plan which shall include the following:

2.1. Proposed name of the development.

2.2. Name, address, and telephone number of the property owner and applicant.

2.3. Legal description.

2.4. Description of the proposed land use areas and the specifications including use standards of each area including:

2.4.1. Proposed dwelling unit type, total land area, and maximum density of residential use areas.

2.4.2. Proposed uses other than residential, total land area, and maximum floor area ratios associated with commercial or industrial uses.

2.4.3. Proposed public streetscape and private open space improvements and their relationship to the overall development.

2.4.4. Building heights, minimum lot areas, and setbacks.

2.4.5. A description of architectural theme colors and type of exterior building materials for each structure or group of structures in the DP.

- 2.4.6. A description of the landscaping treatment, plant materials, fences, walls, and other open space improvements.
- 2.4.7. Proposed location of any arterial, collector, or local streets.
- 2.4.8. Proposed location and use of all lands proposed to be dedicated for public purpose including parks, school sites, etc.
- 2.4.9. Master water, sewer, and drainage plans.

3. Project Narrative.

- 3.1. The applicant shall submit a statement describing the terms and conditions under which the property will be developed and maintained subsequent to development. Such statements shall include any conditions, performance standards, and other reasonable restrictions as may be necessary to ensure the development and maintenance of the property in accordance with the approved development plan.
 - 3.2. The applicant shall submit a description of the objectives to be achieved by the development concept. The statement shall include, but is not limited to:
 - 3.3. The manner in which the proposed development meets or exceeds the intent of the RMU district.
 - 3.4. The proposed architectural and site design concepts including style, colors, and type of materials, placement of structures to maximize views and take advantage of the site's characteristics.
 - 3.5. Specific concepts by which the proposed development will make an orderly transition from existing or planned adjacent development including varied setbacks and facade treatment, open space elements, screening of parking areas, and landscaping of public or private open spaces and recreational facilities.
 - 3.6. The purpose of this narrative is to provide a clear and concise statement for the review process to ensure a better understanding of the proposed development concept.
4. **Subdivision Plats and Site Plans.** After or concurrent with approval of a development plan, a site plan for each building shall be submitted for review and approval in accordance with Section 1400. A site plan application is not required as part of an application for a development plan.
5. **Time Schedule for Development.** The applicant shall include a tentative schedule for the phasing of the development. The statement shall include the type of development, density, floor area ratios for each phase of the development, and shall be accompanied by a map designating the phases and sequence of development.

6. Amendments

6.1. Minor Amendments

- 6.1.1. Minor Amendments are allowed for a maximum of ten percent (10%) of any individual Development Plan element to adjust the location of uses shown on the Development Plan and to achieve a more suitable development plan.
- 6.1.2. Minor amendments do not include an increase in the maximum building height or exception to the building height; or residential density or non-residential intensity.
- 6.1.3. Minor amendments to the DP may be approved by the Town Planner.

6.2. Major Amendments

- 6.2.1. Major amendments are those that increase the maximum allowable building height, residential density, non-residential intensity, and/or that exceed ten (10) percent of an individual DP plan element.
- 6.2.2. Approval of any major amendments will require review approval of the Town Council upon a recommendation from the Planning Commission.

7. Findings.

The Planning Commission shall base its recommendation and the Town Council shall find that the Development Plan application is consistent with the purpose of the RMU district. The Commission evaluation shall include land use mixture, land use categories, land use intensities, and the proposed development standards.

Section 733 – Use Regulations

1. Permitted Uses.

Permitted uses shall be those identified under the RMU district in Table 32-3 Table of Allowed Uses in Non Residential Zoning Districts.

2. Conditional Uses.

Conditional uses shall be those identified under the RMU district in Table 32-3 Table of Allowed Uses in Non Residential Zoning Districts.

3. Accessory Uses.

Uses which are customary and incidental to the principal use of the property as approved by the Town Planner.

4. Prohibited Uses.

Any use not listed in Table 32-3 Table of Allowed Uses in Non Residential Zoning Districts shall be prohibited.

Section 734 – Development Standards

Except as identified below all development standards shall be established within the approval process including residential density, lot sizes, building setbacks, required yards, etc.

1. Project Characteristics.

All projects within the RMU district shall have the following characteristics:

- 1.1. Multiple buildings which may accommodate one or more uses;
- 1.2. Buildings on the site connected by internal streets and drives, and pedestrian connections and pathways; and,
- 1.3. At least one major private or public space, such as a plaza, park, town square, or other gathering space.

2. Minimum Acreage:

The minimum acreage required for a Development Plan shall be ten (10) acres; provided, however, that a parcel of less than ten (10) acres may be approved, subject to compliance with all provisions of this ordinance and approval by the Town Council.

3. Residential

- 3.1. The density of residential uses shall not exceed twenty (20) units per acre.
- 3.2. A maximum of thirty (30) percent of the RMU district may be used for stand alone residential uses. Residential uses above the first floor are excluded from this requirement.

4. Non-Residential

There is no limit on the intensity of non-residential units as long as each development complies with the development standards of the approved development plan and the requirements herein.

5. Building Height

Maximum allowable building height shall be forty-eight (48) feet. The maximum number of stories shall be three (3) stories for stand alone residential uses and four (4) stories for non-residential or vertical mixed use building.

6. Setbacks

6.1. All setbacks shall be determined as part of the development plan except as follows:

- Arterial – 25 feet
- Collector – 20 feet
- Local – 15 feet

6.2. These areas shall be landscaped in accordance with Section 736 below.

7. Compatibility Requirements

- 7.1. Development shall be compatible with, and preserve the character and integrity of adjacent land uses, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent land uses. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts.

8. Separation Between Industrial Uses

There shall be an appropriate separation between existing or planned industrial uses and planned residential uses to provide adequate safety and to avoid concerns with noise, odors, views, and other reasonable concerns as determined by the Town Council at the time of Development Plan approval.

9. Mixed Use Requirements

- 9.1. Mixed use development is a development in which land uses are mixed on-site or are mixed in combination with existing or planned adjacent land uses; the combination of land uses shall promote easy access by pedestrians. Development within the RMU District shall comply with the following standards:

- 9.1.1. Each development shall be designed in such a way that it is well integrated within adjacent land uses. Integrated means that uses are within a comfortable walking distance (1/4 mile) and are connected to each other with direct, convenient, and attractive pedestrian pathways; or the proposal contains a superior way to achieve the above criteria as approved by the Town Council.

- 9.1.2. Projects shall develop a comprehensive open space network that uses plazas and other open space elements to connect uses. Open space areas and the paths that link them shall facilitate the integration of adjacent land uses on the site.

- 9.1.3. Each development shall provide an on-site system of pedestrian walkways and/or public sidewalks throughout the RMU district. Connections shall be made to provide direct pedestrian and bicycle travel from within the development to adjacent uses and/or sites, transit stops, perimeter sidewalks, major destinations, etc. In order to provide efficient pedestrian connections to adjacent destinations, the Town may require additional sidewalks, walkways, or bike paths not associated with a street, or the extension of a sidewalk from the end of a cul-de-sac to another street or walkway. Specifically, onsite pedestrian connections shall be provided to and between the following points:

- The primary entrance or entrances to each building;
- Existing or planned transit stops, stations, and park-n-ride locations, etc;
- Trail systems, where determined appropriate either by the Town based on the Master Trails Plan;

- On-site amenities; and
- Adjacent development.

10. Open Space

All projects shall provide open space within the development as follows:

- 10.1. At least one major private or public space, such as a plaza, park, town square, or other gathering space. These spaces should be also be designed and located for substantial use. The gathering space should include a significant public amenity, such as water features and/or public art.
- 10.2. A private outdoor living space shall be provided adjoin each dwelling unit equal to a minimum of five (5) percent of the floor area of the dwelling unit. An alternative to this requirement may be approved by the Town Council upon finding that the need is met through an alternative means.
- 10.3. A minimum of fifteen (15) percent of the site area of the residential development shall be set aside as recreation amenities. The minimum size of a recreational amenity area shall be 5,000 square feet with one area being at least 10,000 square feet in size. Such areas shall be uses for tot lots, play fields, armadas, gardens, and other similar areas as approved by the Town Council at time of Development Plan approval.
- 10.4. A minimum of ten (10) percent of the site area of the non-residential development shall be set aside for open space. Such areas shall be used for plaza areas, outdoor seating areas, or other similar areas as approved by the Town Planner. The minimum size of an open space areas shall be 2,000 square feet.
- 10.5. All open space areas shall be owned and maintained by a property owners association or landowner. Areas greater than 5 acres in size may be dedicated to the Town upon approval of the Town Council.

Section 735 – Parking

Parking shall be provided as required as determined by the Town Planner.

Section 736 – Landscaping

A common landscape theme shall be established for each Development Plan. All landscaping, including materials and quantities, shall be installed in accordance with the provisions of the Zoning Ordinance.

Section 737 – Design Guidelines

The Town Council shall adopt design guidelines. Property located within the RMU shall be developed in conformance with the provisions set forth herein and with the guidelines. In the event that a project is proposed prior to adoption of design guidelines, an applicant may propose and the Town Council may approve, design guidelines that address, including but not limited to: architectural style and character, landscaping, lighting, etc.

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